

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 1:20-cv-1343

\$4,543.79 IN FUNDS SEIZED FROM BANK
ACCOUNT #153568031006 IN THE NAME
OF CARLETON P. NELSON AND AMY S.
NELSON AT U.S. BANK,

\$8,388.54 IN FUNDS SEIZED FROM BANK
ACCOUNT #1635892407 IN THE NAME
OF AMY STERNER NELSON AT WELLS
FARGO,

\$13,559.97 IN FUNDS SEIZED FROM
BANK ACCOUNT #1361410762 IN THE
NAME OF E2M PROPERTIES LLC AT
CAPITAL ONE BANK,

\$25,343.01 IN FUNDS SEIZED FROM
BANK ACCOUNT #145947373 IN THE
NAME OF CARLETON NELSON AT
CITIBANK,

\$98,358.92 IN FUNDS SEIZED FROM
BANK ACCOUNT #149656681 IN THE
NAME OF CARLETON NELSON AT
CITIBANK,

\$491,780.50 IN FUNDS SEIZED FROM
ACCOUNT ENDING IN 5810, HELD ON
BEHALF OF AMY STERNER NELSON
AND CARLETON P. NELSON, AT
SIGNATURE BANK,

\$10,567.43 IN FUNDS SEIZED FROM
BANK ACCOUNT # 104781237441 IN THE
NAME OF DEVON M. KIRSCHNER AND
CASEY H. KIRSCHNER AT U.S. BANK,

\$1,217.05 IN FUNDS SEIZED FROM BANK
ACCOUNT #320013539278 IN THE NAME
OF AMY S. NELSON AND CARLETON
PHILLIP NELSON AT AMERICAN
EXPRESS NATIONAL BANK,

and

\$4,284.47 IN FUNDS SEIZED FROM BANK
ACCOUNT #1518835838 IN THE NAME
OF AMY S. NELSON AND CARLETON
PHILLIP NELSON AT AMERICAN
EXPRESS NATIONAL BANK,

Defendants In Rem.

STIPULATED CONSENT JUDGMENT AND ORDER OF FORFEITURE

WHEREAS on November 9, 2020, the United States filed a civil Complaint for Forfeiture *In Rem* seeking the forfeiture of the property listed in the case caption above (“subject property”) pursuant to 18 U.S.C. §§ 981(a)(1)(A) and 981(a)(1)(C);

AND WHEREAS, notice and a copy of the Complaint for Forfeiture *In Rem* were served on all known potential claimants who may have had an interest in the subject property, including claimants Carleton and Amy Nelson;

AND WHEREAS, on December 18, 2020, claimants Carleton and Amy Nelson filed a claim asserting ownership of the subject property with the exception of the \$13,559.97 seized from Capital One Bank account #1361410762 in the name of E2M Properties LLC and the \$10,567.43 seized from U.S. Bank account # 104781237441 in the name of Devon M. Kirschner and Casey H. Kirschner;

AND WHEREAS, on February 9, 2022 an agreement as to the subject property claimed by Carleton and Amy Nelson was reached between the United States and claimants Carleton and Amy Nelson, which agreement is embodied in the Stipulation for Settlement and Joint Motion for Entry of Consent Order of Forfeiture filed contemporaneously with this Stipulated Consent

Judgment and Order of Forfeiture;

AND WHEREAS, both the United States and claimants Carleton and Amy Nelson are aware of their respective rights and wish to resolve this matter without further litigation or expense;

NOW THEREFORE, the United States and claimants Carleton and Amy Nelson stipulate and agree as follows:

1. Claimants Carleton and Amy Nelson ("Claimants") agree to the forfeiture of \$108,916.28 of the Defendant Property claimed by Claimants to the United States pursuant to 18 U.S.C. § 981(a)(1)(C). The United States agrees to return to the Claimants the remaining \$525,000 of the Defendant Property claimed by Claimants.

2. This settlement does not constitute an admission by Claimants that they engaged in any unlawful activity.

3. The parties each agree to bear their own costs, to include attorney's fees.

4. The Claimants warrant that they have the legal authority to comply with the terms of this settlement and agrees to execute any and all documents necessary and to take all steps necessary to effectuate the intent of this settlement.

5. The Claimants hereby release, forever discharge, and hold harmless the United States of America and their agencies, officers, attorneys, agents, servants, employees, successors and assigns from any and all claims, demands, damages, causes of action or suits, of whatever kind and description, and wheresoever situated, which it and its assigns, or any third party ever had, now have, or may have in the future in connection with the investigation into, encumbering of, seizure of, and forfeiture of the subject property.

Dated this _____ day of _____ 2022.

UNITED STATES DISTRICT JUDGE

We Ask For This:




Jessica D. Aber
United States Attorney

By:



Kevin Hudson
Assistant United States Attorney
Virginia State Bar No. 81420
Attorney for the United States
721 Lakefront Commons, Suite 300
Newport News, Virginia 23606
Office Number: (757) 591-4000
Facsimile Number: (757) 591-0866
Email Address: kevin.hudson@usdoj.gov

Claimants


Carleton Nelson
Amy Nelson
Alex Little
Counsel for Carleton and Amy Nelson
Burr & Forman LLP
222 Second Avenue South, Suite 2000
Nashville, Tennessee 37201
Phone: (615) 724-3203
E-mail: Alex.Little@burr.com